



Council Of State Employees



Spring 2006

Fargo State Employees help with Christmas Project

Fargo's SERW (State Employees Recognition Week) Committee, a subcommittee of COSE (Council of State Employees), volunteered to help Fraser, Ltd. this year with their Annual Festival of Trees. This fundraiser provides underprivileged families a beautifully decorated Christmas tree. Fraser sells tree sponsorships to businesses and families in exchange for advertising provided by local broadcast and print media. Proceeds raised are given to families who would not otherwise have a tree for the holiday, making the holiday season fundraiser a huge success.

They bought the decorations and met at Innovis to decorate a 4 ½ foot Christmas tree sponsored by Carpet World. They were told that it was going to a family of five, a mom and dad, and three children, ages nine, five, and eight months for which they asked donations for gift cards. Thanks to the generosity of

our state employees, they were able to raise \$390 (of which \$375 came from NDSU employees) to make this family's Christmas merry and bright.

The trees were on display at Innovis for two weeks. On December 3, from 10 am to 4 pm, Fraser wrapped up with a festive community celebration featuring activities such as children's games, performances by area bands, orchestras, and choirs, and of course, the Claus family and their elves. At the center of the activities there were 147 exquisitely decorated artificial Christmas trees waiting to be delivered to their respective families.



If you would like more information on your SERW committee, Fargo Chapter, and how to become a member, please contact the committee's chair, Robyn Hoffmann, 239-7291, or other members of the committee.

**Governor Awards for Excellence in
Public Service Nominations are
being accepted**

For more information about the award and to submit your nominations online or print a nomination form, visit the Council of State Employees Web site at www.state.nd.us/cose.

A portrait of a middle-aged man with light brown hair and a mustache, wearing a dark suit, white shirt, and a red tie. He is smiling slightly. The background is a soft, out-of-focus blue and white.

Thank you for everything you do on behalf of our citizens. Your dedication and hard work are making a positive difference for North Dakota.

In order to maintain current expenditure levels for the next bien-nium, we must continue to find ef-

[illegible]

Catch The Spirit!

COSE  FISH AWARD

Congratulations to the 2005 4th quarter winner, Eric DeVyst and 2006 1st quarter winner Lori Ruff. They will each receive a COSE t-shirt.

“Gift Certificates”

*By Parrell D. Grossman, Director
Consumer Protection & Antitrust Division -Office of Attorney General*

Prior to the 2005 Legislative Session there was not a specific statute that addressed or regulated the sales of gift certificates (“gift cards”). Gift certificates have increasingly become a popular method of giving gifts, particularly during the holiday season.

Many of the gift certificates contained expiration dates for periods such as two years or less. These gift certificates also often provided that after one year maintenance fees would be deducted from the face value or remaining balance of the gift card.

Consumers would often receive a gift card, set it aside for a “rainy day,” and then forget about it. When consumers later located the cards they would discover that the “\$25 gift card” was now worthless because of an expiration date, or a minimal value that had been reduced by monthly or annual service

charges or maintenance fees.

In the 2005 Senator Ray Holmberg of Grand Forks, working closely with Attorney General Stenehjem, sponsored Senate Bill No. 2335, which initiated legislation to regulate gift certificates in a manner that guaranteed the original value to the purchaser or recipient. The Legislature approved the legislation and the Governor signed the legislation on April 6, 2005, when Chapter 51-19 became law.

After April 6, 2005, gift cards or certificates may not contain expiration dates prior to six years after the date of purchase. Also the business may not charge any monthly or annual service or maintenance fees on the gift card.

There are some limited exceptions such as general use prepaid or “bank” cards that are usable at multiple, unaffiliated merchants, which are subject to expiration dates and/or service

charges. Also, gift cards distributed pursuant to an awards or promotional program, with no money paid for the card, are not subject to the law.

Some of you might be wondering about the discount movie tickets. To date, there have been no complaints about these tickets, and so the Attorney General has not taken a position on the matter, but offers this suggestion: Please use these tickets in a timely manner so that it does not become an issue. Whether or not the tickets are subject to the new law, the movie theatres are free to discontinue this program entirely if the tickets are not used in a timely manner.

The Attorney General enforces the gift card law. If you have any questions or complaints regarding gift certificates you may contact the Consumer Protection Division at 1-800-472-2600 or 701-328-3404, or by e-mail at “cpat@state.nd.us.”

Questions on Retirement



I was at home one day thinking about retirement. I wondered what my benefits would be and insurance and such. I looked at the NDPERS website and they actually have a calculator link to figure this out for you. I found out most of the info I needed, but when I needed further assistance I found the people at PERS to

be very helpful and willing to answer my questions. So check out their website. You will never believe how much extra there is to read and use.

Leyton Rodahl, Grand Forks

www.nd.gov/ndpers

Shared Leave: What State Employees Need to Know About Donating or Receiving Leave

by Maureen Vosberg, ND Human Resource Management Services

There are two types of leave that employees can share with other employees: annual leave and sick leave. A significant difference between the donation of these two types of leave is that sick leave may be donated only for the employee's condition, while annual leave may be donated for both the condition of the employee and the employee's relative or household member.

♦ A state employee may donate *annual leave* to a fellow state employee who is suffering from or has a relative or household member suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition that has caused or is likely to cause the employee to take leave without pay or terminate employment (NDCC 54-06-14.1).

The relative of the employee is limited to the spouse, child, stepchild, grandchild, grandparent, stepparent, or parent of an employee. The household member means those who have reciprocal duties to and do provide financial support for one another; this includes foster children and legal wards.

♦ A state employee may donate *sick leave* to a fellow state employee who is suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition that has caused or is likely to cause the employee to take leave without pay or terminate employment (NDCC 54-06-14.2).

The employee requesting shared leave:

- ✓ must have the request approved by the agency's chief administrative officer.
- ✓ must exhaust all other types of paid leave before receiving shared leave.
- ✓ must submit a medical certificate from a licensed physician verifying the severe or extraordinary nature and expected duration of the condition.
- ✓ can receive up to four months of leave in any t w e l v e - month period.

The employee donating shared leave:

- ✓ must retain an annual leave balance of at least forty hours.
- ✓ may not donate more than five percent of accrued sick leave balance.
- ✓ must donate to a specific individual.

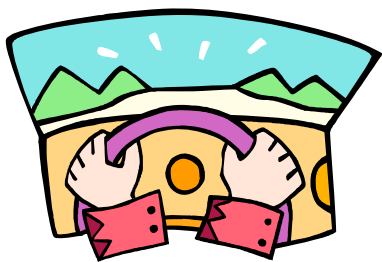
What is the process for receiving

or donating leave?

- Incorporating the above criteria, the person requesting leave should contact the agency's human resources (HR) office. Some agencies have developed their own forms for employees to use when requesting leave. The HR office may contact Human Resource Management Services (HRMS) and ask them to advertise the need for donated leave. HRMS will then notify all agencies of the request.
- The person donating leave should complete SFN 19292, State Employee Donation of Leave. This form will identify the recipient, and the type and amount of leave to be donated. After the donating employee and the donating employer have signed the form, it will then be sent to the receiving agency.
- The receiving agency will sign the form and forward it to OMB for processing.

Since 1993, many State employees have benefited from shared leave, and we are very fortunate that our legislators recognize the need to help state employees with undue hardships. For more information on shared leave, visit <http://www.legis.nd.gov/cencode/t54c06.pdf> or contact HRMS at 328-3290.

Agency Spotlight— Driver's License and Traffic Safety



One of the main ways that the public comes in direct contact with state government is through the Driver's License and Traffic Safety Division of the North Dakota Department of Transportation. These offices are visited by more than a quarter of the state's population each year.

The Driver's License and Traffic Safety Division, or DL&TS, represents one-half of NDDOT's front-counter services, where a driver's permit, license, renewal, or identification card can be obtained; driving records or crash reports may be purchased; or applicable fees for suspension-related driving behavior may be paid. DL&TS currently has 44 Driver license offices in the state, 28 of which are fully automated.

Any person over the age of 16 other than a nonresident student, tourist, or nonresident member of the Armed Forces who has lived in North Dakota for more than 90 days may test for a driver's license. North Dakota residents 14 and 15 years of age may apply for a restricted driver license.

You may renew your license up to 10 months prior to expiration, and still enjoy the full regular renewal period for your license. A vision test, which is performed at the driver license site, or certificate of vision from a physician or optometrist is required at the time of renewal

To obtain a non-commercial drivers license, learner's permit or non-driver identification card, visit any of the driver's license and testing offices in the state. To obtain a commercial drivers license or permit, visit an automated driver license site. A list can be found on the internet at www.nd.gov/dot.

The newest addition to DL&TS is an Express Driver License Renewal Office in Fargo. The office offers a separate counter for simple, non-commercial renewals. "The office offers in-and-out service for those people who need only simple renewals," said Chief Drivers License Examiner Syndi Worrel. "It makes the process more efficient for people with a busy lifestyle."

Aside from its regulatory respon-

sibilities, DL&TS also has a tremendous role in promoting safety on our state's roads. The division's Office of Traffic Safety applies for, receives, and administers all National Highway Traffic Safety Administration federal grant dollars. Based on problem identification data, an annual highway safety plan is developed, and approximately \$1.4 million is spent each year by local entities and state agencies in promoting traffic safety efforts.

The driver improvement services section provides services related to work permits for medical and DUI reasons if the driver is qualified, as well as insurance verifications. This section processes 200 suspensions daily. Most suspensions are related to DUI and speed violations or no liability insurance.

For more information on DL&TS, or to find manuals, statistics, or locations, or to submit a change of name or address, please visit www.state.nd.us/dot/dlts.html

COSE Clothing
available online at

<http://www.state.nd.us/cose/cloths.htm>

A positive attitude helps keep LaMotte forging ahead

*Reprinted with permission
from the Devils Lake Journal*

Jim LaMotte isn't looking for pity or sympathy from anyone, although he very well could be excused if he was.

The 45-year-old employee of the North Dakota Department of Transportation in Devils Lake is in the midst of his third bout with non-Hodgkin's Lymphoma, a form of cancer that attacks the body's lymph nodes. But he's still working diligently. And he's displaying a will to survive for his wife, Marilyn, and his two 10-year-old twin children who lovingly joke with him at his sudden loss of hair due to chemotherapy treatments. "I think it kind of hit me on May 25, when it was the kids' birthday," Jim said. "I knew I had to get through this. I keep my chin up and get up and go. There's no pity for this guy."

LaMotte was first diagnosed with cancer on May 25, 2000 after he found a lump under his chin. Six long, grueling months of chemotherapy ensued, but, remarkably, he's never been taken ill by the treatment. His only side effect thus far has been his loss of hair. Although there are days when he doesn't feel 'quite right', he has never been really sick from the treatments, unlike others who have suffered with it. "We were really optimistic back then," Jim added. "The doctors told us it was in the deepest remission it could be." The doctors were wrong. In 2002, the cancer surfaced a second time, this time in a lump under Jim's neck. This time he helped them experiment with a new drug that is geared to attack the cancer with radiation, thus avoiding further chemo. Apparently, that didn't do the trick either. Just last month, Jim received news for the third time that his cancer was back, and now he's back on

six months of chemotherapy.

"For about 10 minutes I began to wonder, 'why me,'" Jim smiled. "But I tell my story to a lot of people and I'm not looking for pity. You just have to get a tough mindset for something like this and I always keep forging ahead." "I might not have had a positive attitude all the time years ago, but I do now. I've had a lot of prayers and support from a lot of people and I just consider this another burr in my saddle."

Jim is an inspiration to his fellow coworkers and all that meet him. He will be a featured speaker at the Devils Lake Relay for Life this June.

Submitted by:
Judi Plummer
NDDOT
Devils Lake District

"While the driver is safer when the road is dry, the road is safer when the driver is dry."

**Please have a safe summer
and don't drink and drive.**

**Please visit the COSE
website for State
Employee Discounts
throughout the State.
Remember to check back often be-
cause these discounts are updated
regularly.**

www.state.nd.us/cose

Spring Cleanup Safety

Raking may seem like a simple outdoor chore, but raking improperly could cause upper or lower back strain, and neck and shoulder pain. If not properly warmed up, muscles can be injured by the twisting, turning, bending and reaching required while raking.

- ☺ Before picking up the rake, do stretching exercises to warm up muscles. Follow up the activity with further stretching. Recommended stretches include side bends with your hands above your head and fingers locked, knee-to-chest pulls, and trunk rotations;

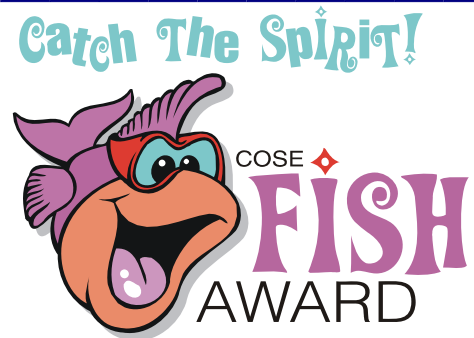
- ☺ Before beginning, take a short walk to stimulate circulation;
- ☺ Try to remain in an upright posture while raking;
- ☺ Bend at the knees, not the waist, when picking up piles of leaves;
- ☺ Be sure to alternate hand positions to ensure that you are not over-working one side;
- ☺ Drink plenty of water before, during, and after raking;
- ☺ Take periodic breaks. A good rule of thumb is 10-15 minutes for each hour of strenuous activity;

- ☺ Use ergonomic tools that are engineered to encourage proper body mechanics; and
- ☺ If you feel stiffness or soreness in your back, use ice. If there is no improvement after a day or two, seek care from your chiropractor.



Fish Awards

Friendly
Initiative
Smile
Helpful



Developed by the State COSE Board of Directors, the Fish Award:

- ❖ Symbolizes excellence in customer service,
- ❖ Recognizes employees who promote customer service in state government,
- ❖ Acknowledges employees who model excellence in customer service to other fellow State Employees,
- ❖ Exemplifies the standard "We all have a customer; we all provide service to others," and
- ❖ Recognizes employees who understand that "Providing customer service is part of our job."

For more information on this award, or to nominate someone, contact your COSE representative. All nominations must be received by June 30, 2006 to be eligible for the third quarters award. Nomination forms can be found on the web at www.state.nd.us/cose/ or from your COSE representative.

This newsletter is published three times a year by the North Dakota Council of State Employees (COSE). State employees are encouraged to submit articles or information about their agencies or institutions to their subgroup listed below. Any comments and concerns should also be directed to your subgroup chair listed below. Editorial Board: COSE Board of Directors. Publisher: Tina Freidt, 600 East Blvd. Ave, Bismarck, ND 58505

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